

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUCE KAATZ,
Plaintiff,

CASE NO. 23-CV-10604
HON. LAURIE J. MICHELSON

v.

MAG. JUDGE KIMBERLY G. ALTMAN

KINGSBROOK M.H.C., LLC,
(d/b/a “Kingsbrook Estates MHC, LLC”),
KINGSBROOK MHC-MICHIGAN, LLC,
(d/b/a Kingsbrook Estates MHC, LLC)
and MADELEINE STANFIELD,
KELLY MAGAR and HEATHER VIEHMAN,
Defendants.

Plaintiff’s Attorney:

Legal Services of Eastern Michigan
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Defendants’ Attorneys, for:

Kingsbrook Estates MHC, LLC,
Kingsbrook MHC-Michigan, LLC,
and Heather Viehman

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Defendants’ Attorneys, for:

Madeleine Stanfield and Kelly Magar

Westbrook & Mazey, P.C.
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**DEFENDANTS STANFIELD AND MAGAR’S ANSWER TO PLAINTIFF’S
MOTION TO ENTER DEFAULT JUDGMENT**

NOW COME defendants Madeleine Stanfield and Kelly Magar, by and through their attorney, Scott L. Mazey, and they file this Answer to the Plaintiff's Motion to Enter a Default Judgment against each of them, and they state as follows:

1. Admitted.
2. Admitted.
3. This paragraph is neither admitted nor denied for lack of knowledge and/or information to form a belief as to the truth of this allegation and the plaintiff is left to his proofs.
4. Admitted.
5. Admitted.
6. Admitted as to allegations regarding the Default, but the balance of the paragraph is neither admitted nor denied for lack of knowledge and/or

information to form a belief as to the truth of this allegation and the plaintiff is left to his proofs.

7. Admitted.
8. Admitted as to defendants failing to defend this action until this time, but denied as being untrue that plaintiff is entitled to a default judgment against both of these defendants.
9. Admitted, however no specific sum of money is requested in the Complaint.
10. Admitted that this Motion was sent to both of the defendants by U.S. Mail, and not by e-filing.
11. Admitted that the defendants are not in current active military service.
12. Admitted.

13. Admitted that plaintiff is seeking such relief in his Complaint, however said alleged damages are speculative and subjective, and again, are not quantified as a sum certain in the Plaintiff's Complaint.

14. This paragraph is denied as being untrue as plaintiff's counsel cannot calculate plaintiff's alleged damages into a sum certain when such alleged damages are speculative and subjective.

15. Admitted that plaintiff is seeking such relief in his Complaint, however said punitive and/or exemplary damage are speculative and subjective, and again, are not quantified as a sum certain in the Plaintiff's Complaint.

16. This paragraph is denied as being untrue as plaintiff's counsel cannot calculate plaintiff's alleged punitive and/or exemplary damages into a sum certain when such alleged damages are speculative and subjective.

17. Admitted that same was requested in the Plaintiff's Complaint.

18. This paragraph is denied as being untrue as plaintiff's counsel cannot calculate plaintiff's alleged damages when said damages are speculative

and subjective and a hearing is required to determine the amount of damages and to establish the truth of the allegations by evidence per the Federal Rules of Civil Procedure, Rule 55(b)(2)(B)(C), and Local Rule 55.2 (Eastern District of Michigan).

WHEREFORE, defendants Stanfield and Magar respectfully request that the plaintiff's Motion for Entry of a Default Judgment be denied, as the relief requested is speculative and subjective, and they request that the Court set this matter for a Hearing to establish the amount of plaintiff's damages, if any, and to require establishment by the plaintiff of any damages alleged by the production of evidentiary proofs supporting same.

Respectfully submitted,

Westbrook & Mazey, P.C.

/S/ Scott L. Mazey

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Dated: 10/19/2023